

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

No. 5:12-CR-00105-F-5

No. 5:15-CV-00585-F

KAMIE JO HEFNER,	)	
Petitioner,	)	
	)	
v.	)	<u>ORDER</u>
	)	
UNITED STATES OF AMERICA,	)	
Respondent.	)	

This matter is before the court on Kamie Jo Hefner's Second Request for Reconsideration [DE-217]. In her motion, Hefner renews arguments made in her Motion to Vacate and Motion for Reconsideration.

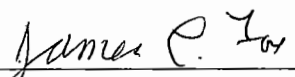
Rule 59(e) of the Federal Rules of Civil Procedure permits a court to alter or amend a judgment. Fed. R. Civ. P. 59(e). Although the rule itself does not set forth any guidelines as to when such a motion should be allowed, the Fourth Circuit Court of Appeals has recognized three grounds for amending a judgment pursuant to Rule 59(e): "(1) to accommodate an intervening change in controlling law; (2) to account for new evidence not available [previously]; or (3) to correct a clear error of law or prevent manifest injustice." *Sloas v. CSX Transp., Inc.*, 616 F.3d 380, 385 n.2 (4th Cir. 2010) (alteration added and citation omitted). "It is an extraordinary remedy that should be applied sparingly." *Mayfield v. Nat'l Ass'n for Stock Car Auto Racing, Inc.*, 674 F.3d 369, 378 (4th Cir. 2012). A "district court has considerable discretion in deciding whether to modify or amend a judgment." *Gagliano v. Reliance Standard Life Ins. Co.*, 547 F.3d 230, 241 n.8 (4th Cir. 2008).

Following a review of the record, including the court's May 27, 2016 Order [DE-212],

the court sees no meritorious reason to disturb its ruling. Accordingly, Hefner's Second Request for Reconsideration [DE-217] is DENIED.

SO ORDERED.

This, the 11 day of July, 2016

  
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James C. Fox  
Senior United States District Judge